

## SUMMARY

It has been noted that the first public school law of North Carolina was ratified January 8, 1839. Among other provisions, it required the courts of pleas and quarter sessions in the several counties, a majority of the justices of the peace being present, to elect not less than five nor more than ten persons as superintendents of common schools. These superintendents were required to divide their respective counties into school districts for the purpose of establishing common schools. The districts were to contain "not more than six miles square" but due regard was to be given to the number of white children in each; and no greater number of districts were to be laid off than would equal one for every "six miles square" of inhabited territory in said county.

Under the provisions of an act passed by the Legislature of 1841, the boards of superintendents were required "to lay off their counties into school districts, and number the same, of such form and size as they think most conducive to the convenience of the inhabitants of said county." They were likewise empowered to alter the boundaries of school districts.

The foregoing legislation as to school districts was in force until the Legislature of 1868-69, when a law was enacted establishing townships. The voters of each township were to elect a school committee of three persons who were given the power to "establish and maintain for at least four months in every year a sufficient number of schools at convenient locations, which shall be for the education of all children between the ages of six and twenty-one years residing therein." The change enlarged to some degree the duties of the township committees over those of the old district committees and other changes followed. In 1873 the Legislature prescribed the dividing of townships into convenient school districts as one of the duties of the township committee.

The Legislature of 1877 gave the county boards of education authority to divide the counties into "convenient" school districts.

The Legislature of 1885 enacted that no districts should be constituted that would contain less than sixty-five children of school age except for "extraordinary geographical reasons."

In 1897 county boards of education were required to divide the counties into as many school districts as there were townships in the counties. The school committee was required to locate schools within the township so that each school would have an average of not fewer than sixty-five pupils.

Consolidation of small districts into larger attendance areas had its real beginning in North Carolina when Dr. J. Y. Joyner became State Superintendent in 1902. He early began to argue the "Necessity and advantages of Consolidation of School Districts," and suggested "some means of securing larger districts."

The Legislature of 1901 had made available an equalizing fund of \$100,000.00. A condition precedent to receiving aid from this fund to lengthen the term to the Constitutional requirement of four months was "that no school with a census under sixty-five should receive any benefit from the appropriation, unless the formation or continuance of such school district shall have been for good and sufficient cause."

But, Dr. Joyner avows that 1,340 white districts and 522 colored districts containing less than sixty-five children applied for aid—"In light of